

### **REMARKS**

In the Office Action mailed October 28, 2003, the Examiner indicated that allowed claims 37-51, 53-75, and 94-96 were in improper format. See page 2. In accordance with 37 C.F.R. § 1.173(b), the claims are now entirely underlined.

The Examiner also indicates that a statement under 37 C.F.R. § 3.73 is required. See page 2. An assignment from the inventors to IGEN, Inc. ("IGEN"), a California corporation, was recorded on March 16, 1995, at Reel 7488, Frame 0828. On September 10, 1996, IGEN, Inc. merged with and into IGEN International, Inc. ("IGEN International"), a Delaware corporation. A copy of the merger document, which was executed by Richard J. Massey and Andrei M. Manoliu, respectively the President and Chief Operating Officer and the Secretary of both IGEN and IGEN International, is attached to this Amendment as Exhibit A. By virtue of the merger, title in U.S. Patent No. 5,527,710 (the "'710 patent"), which issued on June 18, 1996, was transferred to IGEN International. See Exhibit A, 1.3.

By a Patent Assignment effective February 12, 2004, IGEN International assigned title to the '710 patent to BioVeris Corporation ("BioVeris"), a Delaware corporation having offices at 16020 Industrial Parkway, Gaithersburg, Maryland 20877. A copy of the Patent Assignment, which was signed by Richard J. Massey, the President and Chief Operating Officer of IGEN International, and by George Migausky, the Chief Financial Officer of BioVeris, is attached to this Amendment as Exhibit B. A request to record this assignment is filed herewith.

Finally, Applicants submit herewith a supplemental declaration as required by M.P.E.P. § 1415. The supplemental declaration is signed by two inventors and is

accompanied by Applicant's Petition to Suspend the Rules Under 37 C.F.R. § 1.183 or to be Accorded Status Under 37 C.F.R. § 1.47(a).

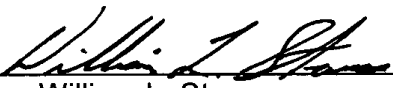
In view of the foregoing amendments and remarks, Applicants respectfully request the timely mailing of a Notice of Allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 27, 2004

By:   
William L. Strauss  
Reg. No. 47,114